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2 **HONORABLE J. KELLEY ARNOLD**
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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT TACOMA**

10 **DEBORAH A. MOLEND,**

11 **Plaintiff,**

12 **vs.**

13 **METROPOLITAN LIFE INSURANCE**
14 **COMPANY, a Delaware corporation;**
15 **MARY FLORA CRUZE, individually,**
16 **and as Trustee of the Albert J. Cruze**
Revocable Living Trust,

Defendants.

Case No. C08-5111JKA

AMENDED ORDER
DIRECTING CLERK TO
DISBURSE FUNDS

17 On August 11, 2008 the Court entered its Order on Cross Motions
18 for Summary Judgment. In that order the Court found that the plaintiff,
19 Deborah A. Molenda, was entitled to payment of the proceeds of the
20 Albert J. Cruze life insurance plan. The proceeds of that plan, in the
21 amount of \$10,170.14, were paid into the registry of the court by the
22 Metropolitan Life Insurance Company. \$1,000.00 of those funds have
23 previously been paid to the Metropolitan Life Insurance Company
24 pursuant to prior order of the Court. Therefore, it is hereby
25

26 **AMENDED ORDER DIRECTING**
CLERK TO DISBURSE FUNDS - 1

DAVIS ROBERTS & JOHNS, PLLC
7525 PIONEER WAY, SUITE 202
GIG HARBOR, WASHINGTON 98335
TELEPHONE (253) 858-8606
FAX (253) 858-8646

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2 ORDERED that the balance of the proceeds of the Albert J. Cruze
3 life insurance plan previously paid into the Registry of the Court by the
4 Metropolitan Life Insurance Company, together with accrued interest,
5 shall be paid forthwith by the Clerk of the Court to the plaintiff. The clerk
6 is authorized and directed to draw a check on the funds on deposit in the
7 registry of this court in the principal amount of \$9,170.14, plus all
8 accrued interest, minus any statutory users fees, payable to Deborah A.
9 Molenda, and mail or deliver the check to Deborah A. Molenda care of
10 her attorneys at the following address:

11 Davis Roberts & Johns, PLLC
12 7525 Pioneer Way, Suite 202
13 Gig Harbor, Washington 98335

14 DONE IN OPEN COURT this 28th day of August, 2008.

15
16 /s/ J. Kelley Arnold

17 Honorable J. Kelley Arnold
18 United States Magistrate Judge

19 **AGREED TO AND APPROVED:**

20 DAVIS ROBERTS & JOHNS, PLLC STOKES LAWRENCE, P.S.

21 /s/ Michael W. Johns
22 MICHAEL W. JOHNS
23 WSBA #22054
24 Attorneys for Plaintiff
25 Deborah A. Molenda

21 /s/ Karolyn A. Hicks (per e-mail
22 authorization)
23 KAROLYN A. HICKS
24 WSBA #30418
25 Attorneys for Defendant
26 Mary Flora Cruze

26 AMENDED ORDER DIRECTING
CLERK TO DISBURSE FUNDS - 2

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